

FILED
Clerk
District Court

DEC 21 2005

For The Northern Mariana Islands
By _____
(Deputy Clerk)

ORIGINAL

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Attorney for Defendant
MICRONESIA WOODCRAFT ENT., INC. et al.

UNITED STATES DISTRICT COURT

FOR THE

DISTRICT OF THE NORTHERN MARIANA ISLANDS

SAIPAN HANDICRAFT,

Plaintiff,

v.

MICRONESIA WOODCRAFT ENT.,
INC., TIRZO J. ADRIATICO,
individually and as President of
Micronesia Woodcraft Ent., Inc., and
JOHN DOES 1-40,

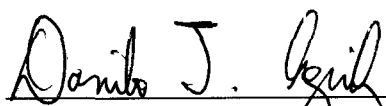
Defendants.

CIVIL ACTION NO. 05-0040

**EX PARTE MOTION UNDER
LOCAL RULE 7.1.h.3(b) TO
SHORTEN TIME TO HEAR
DEFENDANT'S MOTION FOR
ENLARGEMENT OF TIME TO
FILE ANSWER**

COMES NOW, Defendant, by and through counsel Danilo T. Aguilar,
and hereby requests, *ex parte*, for an order shortening time to hear Defendant's
motion for enlargement of time to file answer. Defendant requests to have this
matter heard on or before December 23, 2005. This *ex parte* motion is brought
pursuant to LR 7.1.h.3(b) and is supported by the attached declaration of counsel.

DATED this 21st day of December, 2005.


DANILO T. AGUILAR, F0198
Attorney for Defendants

**CERTIFICATE PURSUANT TO FEDERAL RULES OF
CIVIL PROCEDURE 6(b)**

A. Addresses and Telephone Numbers of the Parties:

Plaintiff: F. Matthew Smith, Esq.
Second Floor, UIU Building
P.O. Box 501127
Saipan, M.P. 96950
Tel. No.: (670) 234-7455/234-7427

Defendant: Danilo T. Aguilar, Esq.
First Floor, San Jose Court Building
Cor. Ghiyeghi St. & Wischira Way
P.O. Box 505301, San Jose
Saipan, M.P. 96950
Tel. No.: (670) 234-8801

B. Facts regarding Application for Ex Parte Motion.

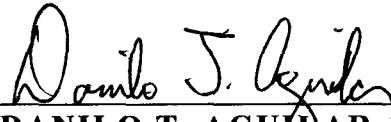
Counsel was recently retained by defendants on December 20, 2005 to represent them. An answer is due by December 23, 2005. Counsel would be unable to adequately prepare for filing an answer because Counsel is preparing for a trial on December 27, 2005. It is imperative to have the motion for enlargement of time considered by the Court before the due date and thus requiring the instant *ex parte* motion to shorten time. Otherwise, this motion would be heard after the due date for the answer.

C. Notification of Other Party.

On or about the afternoon of December 20, 2005, defense counsel telephoned Plaintiff's counsel F. Matthew Smith to request for an extension to file the answer. Mr. Smith granted a 48-hour extension to file the answer, but would not agree to an extension beyond the 48-hour period, thus necessitating this motion.

1 Prior to submitting this ex parte motion to the court, I served a filed
2 copy of the motion to shorten time, along with a copy of the motion for
3 enlargement of time to Plaintiff's counsel.

4 DATED this 21st day of December, 2005.

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7 **DANILO T. AGUILAR, F0198**
8 Attorney for Defendants
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